

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION

GEOTAG, INC.

v.

THE WESTERN UNION COMPANY; ET AL.

NO. 2:10-CV-574-DF

JURY

**PLAINTIFF'S ANSWER TO COUNTERCLAIMS OF**  
**BUILD-A-BEAR WORKSHOP, INC.**

Plaintiff Geotag, Inc. ("Geotag") answers the counterclaims of Defendant Build-A-Bear Workshop, Inc. ("Build-A-Bear") by corresponding paragraph number as follows:

1. Admitted that Build-A-Bear purports to assert counterclaims. Admitted as to subject matter jurisdiction over counterclaims. Denied as to merits of counterclaims. Denied that Build-A-Bear is entitled to any declaratory relief.

2. Admitted as to venue over counterclaims. Denied as to merits of counterclaims.

3-4. Admitted.

5. Geotag incorporates its responses to paragraphs 1-4 above.

6. Admitted.

7. Denied.

8. Admitted there is a "case or controversy" for purposes of subject matter jurisdiction over counterclaims. Denied as to merits of counterclaims.

9. Paragraph 9 is blank.

10-11. Denied.

12. Geotag incorporates its responses to paragraphs 1-11 above.

13. Admitted.

14. Denied.

15. Admitted there is a “case or controversy” for purposes of subject matter jurisdiction over counterclaims. Denied as to merits of counterclaims.

16-17. Denied.

18. To the extent necessary, Geotag denies that Defendant is entitled to the relief requested in its prayer for relief. In addition, to the extent necessary, Geotag generally denies any allegation in the counterclaims not specifically admitted above, and Geotag re-alleges infringement, validity and damages, and denies any allegations in the counterclaims adverse to same.

#### PRAYER FOR RELIEF

WHEREFORE, Geotag respectfully requests that this Court enter judgment denying and dismissing Defendant’s counterclaims, and that the Court enter judgment in favor of Geotag as requested in Geotag’s complaint, as amended or supplemented.

March 7, 2011

Respectfully submitted,

GEOTAG, INC.

By: /s/ John J. Edmonds

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ATTORNEYS FOR PLAINTIFF  
GEOTAG, INC.

CERTIFICATE OF SERVICE

I hereby certify that all counsel of record who are deemed to have consented to electronic service are being served with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3).

March 7, 2011

/s/ John J. Edmonds  
John J. Edmonds